

MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
THURGOOD MARSHALL U.S. COURT HOUSE
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Catherine O'Hagan Wolfe
CLERK OF COURT

Date: 10/11/07
Docket Number: 07-1366-pr
Short Title: Otero v. U.S.A.

DC Docket Number: 03-cv-1408
DC: SDNY (NEW YORK CITY)
DC Judge: Honorable Michael Mukasey

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 11th day of October, two thousand seven.

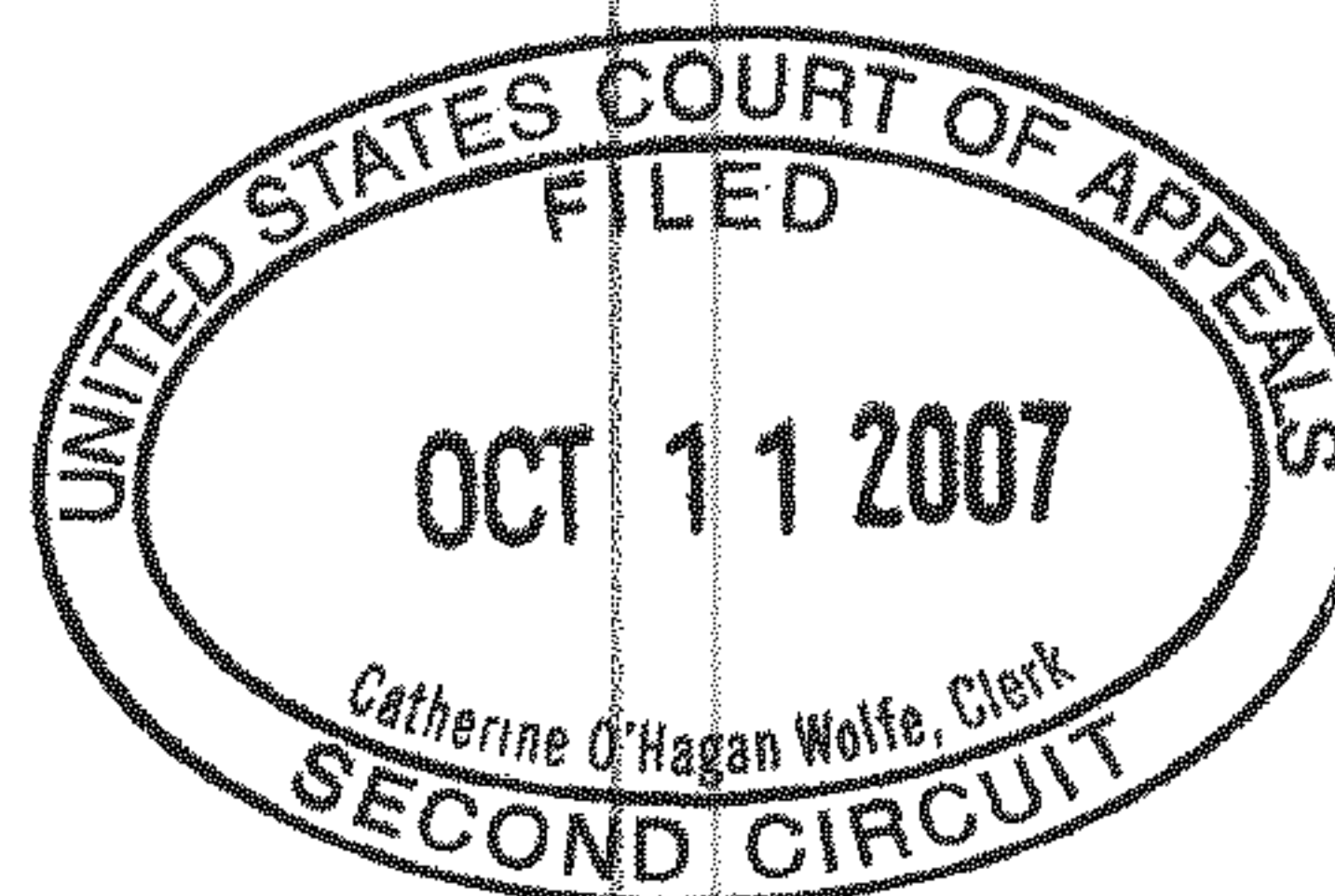
Luis A. Otero,

Petitioner-Appellant,

v.

United States of America,

Respondent-Appellee.



The *Civil Appeals Management Plan* of this court directs that within ten (10) days after filing a Notice of Appeal, the appellant shall, *inter alia*, either pay the docketing fee or move for leave to proceed *in forma pauperis*, and that in the event of default of this requirement the Clerk may dismiss the appeal without further notice.

The appellant herein not having so proceeded, upon consideration thereof, it is **ORDERED** that the appeal from the order of February 28, 2003, United States District Court for the Southern District of New York (NYNY) be, and it hereby is **DISMISSED**. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by Connie Mazariego
DEPUTY CLERK

For the Court:
Catherine O'Hagan Wolfe, Clerk
By: Connie Mazariego
Connie Mazariego, Deputy Clerk

Certified:

OCT 11 2007

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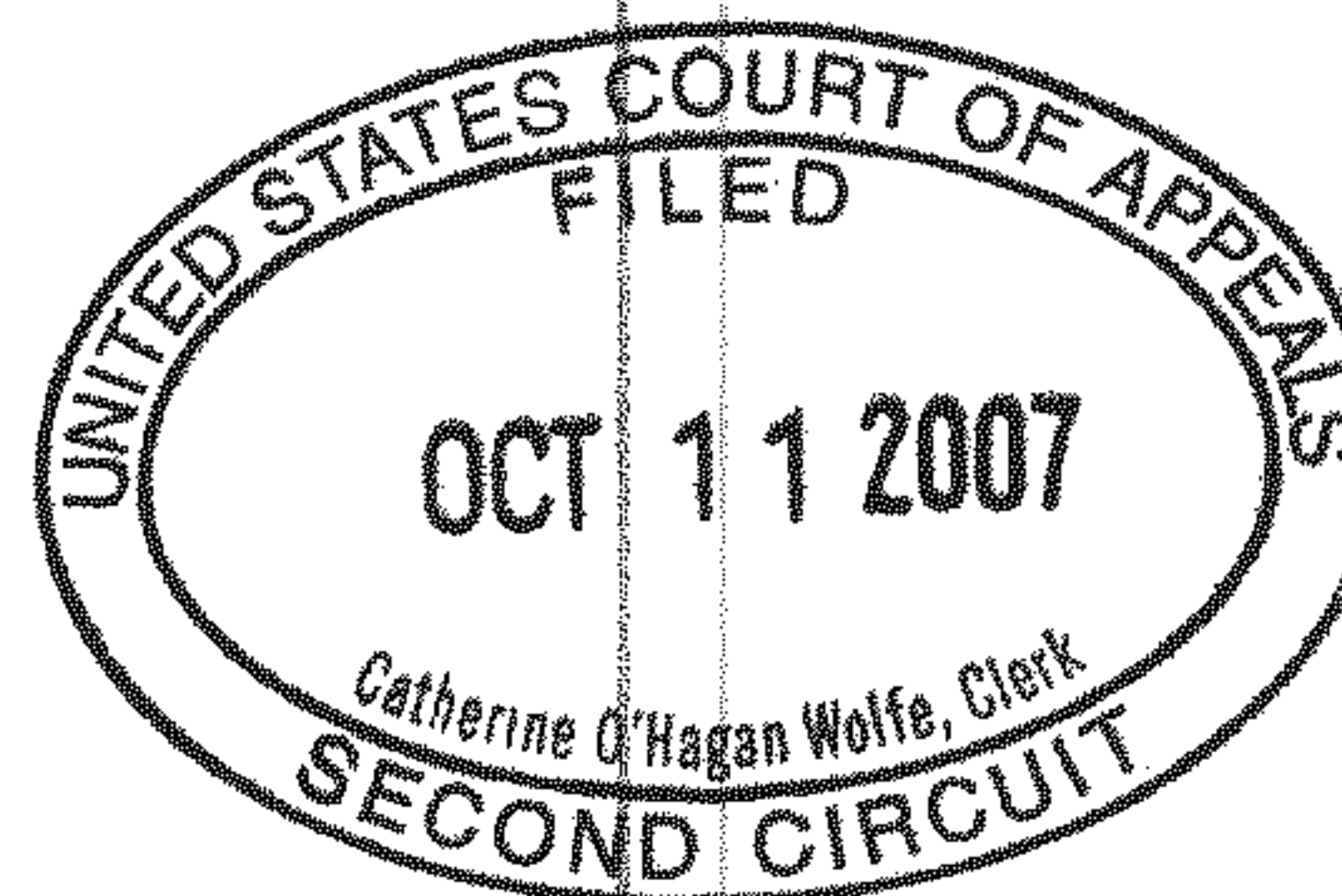
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THE CERTIFIED () ORDER () NOTICE
() STATEMENT OF COSTS
HAS BEEN RECEIVED, BY _____
DATE _____

"RETURN TO PRO SE TEAM"

For the Court:
Catherine O'Hagan Wolfe, Clerk
By: 
Connie Mazariego, Deputy Clerk